



*** THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI**

+W.P.NO. 1327 OF 2023

% 11.09.2026

#Between:

Chennupalli Seetha

..... Petitioner

\$And:

State Bank of Hyderabad and others.

... Respondents

!Counsel for the Petitioner : Sri M. Pitchaiah

^Counsel for the Respondents : Sri C. Srinivasa Baba

<Gist:

>Head Note:

? Cases referred:

1. (2010) 7 SCC 635
2. 1995 SCC OnLine AP 281

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P.NO. 1327 OF 2023

Chennupalli Seetha

..... Petitioner

And:

State Bank of Hyderabad and others.

....Respondents

DATE OF ORDER RESERVED : 02.09.2026

DATE OF ORDER PRONOUNCED : 11.09.2026

DATE OF ORDER UPLOADED : 15.09.2026

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE BALAJI MEDAMALLI

1. Whether Reporters of Local newspapers may be allowed to see the Order? Yes/No
2. Whether the copies of order may be marked to Law Reporters/Journals? Yes/No
3. Whether Your Lordships wish to see the fair copy of the Order? Yes/No

JUSTICE BALAJI MEDAMALLI

Date of reserved for orders : 31.08.2026

Date of pronouncement : 11.09.2026

Date of uploading : 15.09.2026

APHC010026382023



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

FRIDAY, THE 11th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 1327 OF 2023

Between:

1. CHENNUPALLI SEETHA, W/o. Bullaiah, Aged about 39 years, Unemployeed, R/o. Near Aramanda Ramalayam, Kolliparra Post, Guntur District,

...Petitioner

AND

1. STATE BANK OF HYDERABAD, Rep., by its Chairman and Managing Director, Hyderabad, Telangana

2. Deputy General Manager, State Bank of Hyderabad, Chandramouli Nagar, Vijayawada, Krishna District, A.P.,

3. Assistant General Manager, State Bank of Hyderabad, Lakshmipuram, Guntur, Guntur District,

4. State Bank of India, Rep. by its Managing Director, Nariman Point, Mumbai,

5. Chief General Manager, State Bank of India, Koti, Hyderabad, Telangana,

6. Deputy General Manager, State Bank of India, Nagarampalem, Guntur, Guntur District,

7. Assistant General Manager, State Bank of India, Brodipet, Guntur, Guntur District,

8. Labour Court, Rep. by its Presiding Officer, District Court Complex, Guntur, Guntur District,

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue any appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the Award Dt.01.02.2021 in I.D.No.24/2013 on the file of Labour Court, Guntur as notified in G.O.Rt.No.118 dt.22.04.2021 of Labour, Factories, Boilers and Insurance Medical Services (OP) Department, Government of Andhra Pradesh as arbitrary and violative of Article 14, 21 and 254 of the Constitution of India and provisions of I.D.Act and consequently set aside the same and direct the 8th respondent court to decide the Industrial Dispute on merits grant costs of the proceedings and pass

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to decide the Industrial Dispute I.D.No.24/2013 on the file of 8th respondent court on merits and pass

Counsel for the Petitioner: M PITCHAIAH

Counsel for the Respondents: GP FOR SERVICES III

Counsel for the Respondents: C SRINIVASA BABA

The Court made the following order:

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI**W.P.No.1327 of 2023****ORDER:**

The writ petition is filed seeking the following relief:

“...to issue any appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the Award Dt.01.02.2021 in I.D.No.24/2013 on the file of Labour Court, Guntur as notified in G.O.Rt.No.118 dt.22.04.2021 of Labour, Factories, Boilers and Insurance Medical Services (OP) Department, Government of Andhra Pradesh as arbitrary and violative of Article 14, 21 and 254 of the Constitution of India and provisions of I.D.Act and consequently set aside the same and direct the 8th respondent court to decide the Industrial Dispute on merits grant costs of the proceedings...”

2. Heard Sri M. Pitchaiah, learned counsel for petitioner and Sri C.Srinivasa Baba, learned counsel for respondents No.1 to 7.

3. The facts of the case, as narrated by petitioner in the writ petition, are briefly set out hereunder:

(i) Petitioner joined services of the erstwhile Bank of the 1st respondent in the year 2004 as a Sweeper-cum-Lunch Room Attendant (SWLRA) and was initially posted at its Medikonduru Branch. Thereafter, she was transferred to Gandhinagar Branch, Vijayawada, where she worked from the year 2008 for about three years on nominal wages. Subsequently, she was regularized as a one-third Sweeper-cum-Lunch Room Attendant in the Sub-Staff pay scale and was posted at Kollipara Branch, Guntur District, Andhra Pradesh. During the course of her

employment, she discharged duties attached to a Class-IV post, including sweeping the Bank premises, carrying files within the Branch, and attending to other duties, such as serving tea and snacks to the staff members.

(ii) While so, management of the 1st respondent issued a notice dated 02.06.2012 alleging that petitioner had resorted to unethical means to secure employment in the Bank. It was alleged that, during verification of her antecedents, the matter was referred to the District Collector, Guntur, who, in turn, referred it to the Superintendent of Police, Guntur. Pursuant thereto, the Superintendent of Police submitted a report stating that the Transfer Certificate produced by the petitioner, purportedly issued by Mahatma Gandhi Memorial School, Narasaraopet, was found to be not genuine.

(iii) Pursuant thereto, petitioner submitted her explanation denying the allegations. Thereafter, disciplinary enquiry was conducted. It is the case of the petitioner that the enquiry was conducted without properly considering her explanation and without furnishing her with the documents and other material collected during verification, which is in violation of the principles of natural justice. Subsequently, based on the enquiry report, 3rd respondent, by proceedings dated 29.10.2012, removed the petitioner from service.

(iv) Aggrieved thereby, petitioner approached Industrial Tribunal by filing I.D.No.24 of 2013 before the Labour Court, Guntur. The Labour Court by an Award dated 01.12.2021, held that the industrial dispute was not maintainable before it on the ground that the appropriate Government in respect of the respondent-Bank was the Central Government, whereas the Labour Court, Guntur was established by the State Government. Consequently, without adjudicating the matter on merits, the Labour Court returned the industrial dispute for presentation before the appropriate forum. Aggrieved by the said Award, the present writ petition has been filed.

4. Learned counsel for the petitioner contends that the Tribunal erred in refusing to entertain the Industrial Dispute on the ground that Section 2-A(2) of the Industrial Disputes Act, as applicable in the State of Andhra Pradesh, covers only workmen employed in industrial undertakings owned or controlled by the State Government and does not apply to workmen employed in industrial undertakings owned or controlled by the Central Government. It is further contended that, in the present case, Central Government is the appropriate Government. Since the Tribunal was constituted by the State Government to adjudicate only those industrial disputes for which the State Government is the appropriate Government, it declined to entertain the dispute for want of jurisdiction and observed that the petitioner must approach the Labour Court constituted by the Central Government.

5. Learned counsel for the petitioner placed reliance on the judgment of the Hon'ble Supreme Court in **Vijaya Bank v. Shyamal Kumar Lodh¹**, wherein it held as follows:

23. From a plain reading of Section 10-A(2) of the aforesaid Act it is evident that the Labour Court constituted under the Industrial Disputes Act, 1947 within the local limits of whose jurisdiction the establishment is situated, has jurisdiction to decide any dispute regarding subsistence allowance.

6. Placing reliance on the aforesaid judgment, learned counsel for petitioner submits that on a plain reading of section 10 of Industrial Disputes Act, 1947, it clear that the Labour Court constituted under the said Act, within the local limits of whose jurisdiction the establishment is situated, has jurisdiction to adjudicate the dispute.

7. In the instant case, petitioner was working in the respondent-Bank within the territorial jurisdiction of the Industrial Tribunal in the State of Andhra Pradesh, as such, the Tribunal has jurisdiction to entertain and adjudicate the dispute. Learned counsel further placed reliance on the judgment of the Division Bench of the composite High Court of Andhra Pradesh in **U.Chinnappa v. Cotton Corporation of India²**, wherein it held as follows:

9. It is contended by the learned Counsel for the petitioner, Mr. M.R.K. Choudary that there is really no conflict between sub-section (1) and sub-section (2) of Section 2-A of the Act, and both are complementary to each other inasmuch as sub-section (2) provides an additional remedy to the workman. However, it is not necessary to dilate on this

¹ (2010) 7 SCC 635

² 1995 SCC OnLine AP 281

issue further. We will assume that in so far as the dismissed or retrenched workman is able to approach the Labour Court straight-away, the power of the Central Government to make a reference of the dispute may be whittled down protanto and in that sense there is a conflict or repugnancy with sub-section (2) of Section 2-A and Section 10(1) read with sub-section (1) of Section 2-A and Section 3 of the Act. Even then, the Presidential assent given under Article 254(2) makes the State law prevail over the provisions of the Central law to the extent of repugnancy. The fact that A.P. Amendment Act received the assent of the President was obviously not brought to the notice of our learned brother S.R. Nayak, J., and therefore the learned Judge took the view that the State law cannot abridge or restrict the power of the Central Government to make a reference under Section 10(1) in respect of the industries owned and controlled by it.

.....

11. *Viewed from any angle, we are unable to uphold the order of the Labour Court. We hold that the industrial dispute raised by the petitioner under sub-section (2) of Section 2-A is maintainable. Of course, we do not like to express any view on the merits of the case. The writ petition is therefore allowed and the impugned order dated 13-4-1989 passed in I.D. No. 73 of 1988 by the Labour Court is set aside. The Labour Court is directed to restore I.D. No. 73 of 1988 on its file and decide the matter expeditiously as far as possible within a period of four months from the date of receipt of this order.*

8. Learned counsel for the petitioner submits that sub-sections (1) and (2) of Section 2-A of the Act are complementary to each other, inasmuch as sub-section (2) provides an additional remedy to a workman. A workman aggrieved by an order of dismissal, discharge, retrenchment or termination is entitled to approach the Labour Court directly, without seeking a reference under Section 10 of the Act. Remedy provided under Section 2-A(2) is, therefore, in addition

to the existing remedy available under Section 10 of the Act. It is not in dispute that, after the amendment introducing Section 2-A(2) of the Act, a workman aggrieved by an order of dismissal, discharge, retrenchment or termination can directly approach the Labour Court. Thus, the requirement of a prior reference by the appropriate Government has been dispensed with in such cases. The said provision, therefore, has considerable relevance to the issue arising in the present case.

9. Per contra, learned counsel for the respondents submits that the learned Judge has considered the issue in detail and rightly declined to entertain the dispute. It is contended that the Industrial Tribunal before which the petitioner approached was constituted by the State Government and is competent to adjudicate only those industrial disputes for which the State Government is the appropriate Government. Since the petitioner was employed in an establishment under the control of the Central Government, the Central Government is the appropriate Government in the present case. Consequently, the petitioner ought to have approached the Labour Court constituted by the Central Government instead of the Tribunal constituted by the State Government.

10. Having considered the submissions made by learned counsel for the parties and in view of the judgment of the Hon'ble Supreme Court in **Vijaya Bank v. Shyamal Kumar Lodh**, cited supra, this Court is of the view that, since the dispute arose within the territorial jurisdiction of the Industrial Tribunal-cum-Labour Court, Guntur, and having regard to the provisions of the

Industrial Disputes Act, 1947, the application filed by the petitioner before the Industrial Tribunal constituted by the State Government is maintainable. Consequently, the Tribunal has jurisdiction to entertain and adjudicate the dispute. Accordingly, the impugned order dated 01.02.2021 passed in Industrial Dispute No.24 of 2013 by the Chairman, Industrial Tribunal – cum – Presiding Officer, Labour Court, Guntur, and notified vide G.O.Rt.No.118, dated 22.04.2021, issued by the Labour, Factories, Boilers and Insurance Medical Services (OP) Department, is set aside, without expressing any opinion on the merits of the dispute. I.D.No.24 of 2013 is remanded to the Industrial Tribunal-cum-Labour Court, Guntur, for fresh consideration and disposal on merits, in accordance with law.

11. Accordingly, the Writ Petition is ***allowed***. No order as to costs.

Interim orders, if any, granted earlier shall stand vacated, and all pending miscellaneous petitions, if any, shall stand closed.

JUSTICE BALAJI MEDAMALLI

Date: 11.09.2026

SAK

Whether the order is:

Speaking	☒	Reasoned	☒
Reportable	☒	Non-reportable	

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THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 1327 OF 2023

Date: 11.09.2026

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